

EXHIBIT 8

January 5, 2021 (5:35m)

Email from Ranieri to Smolker advising Judge Chan scheduling Friday January 8, 2021 telephone conferen to 12:00pm (Philadelphia time).

From: Joan_Ranieri@paeb.uscourts.gov,
To: jo'neill@pszjlaw.com,
Cc: gsmolker@aol.com, rhiggins@rogerhigginslaw.com,
Subject: RE: WR Grace
Date: Tue, Jan 5, 2021 5:35 am

Attachments:

Judge Chan is rescheduling the telephonic conference regarding Mr. Smolker's request to 12:00 p.m. (Philadelphia Time) on Friday, January 8, 2021.

Joan Ranieri

Courtroom Deputy to Judge Ashely M. Chan

United States Bankruptcy Court

Eastern District of Pennsylvania

~ ~ ~ ~ ~



From: Joan Ranieri
Sent: Monday, January 4, 2021 3:57 PM
To: 'James O'Neill' <jo'neill@pszjlaw.com>
Cc: 'Gary Smolker (gsmolker@aol.com)' <gsmolker@aol.com>; 'rhiggins@rogerhigginslaw.com' <rhiggins@rogerhigginslaw.com>
Subject: RE: WR Grace

Good afternoon, Judge Chan would like to set up a telephonic conference for Friday, January 8, 2021 at 10:00 a.m. regarding Mr. Smolker's request.

Call in procedure has not changed. Please Dial: 877-873-8017 and Access Code: 3027681#

EXHIBIT 9

January 9, 2021 (3:41pm)

Email from Smolker to Ranieri requesting information on how to purchase transcripts of telephone conferences conducted by Judge Chan on December 15, 2020 and on January 8, 2021.

Also, Smolker requests a hearing date for motion to allow Smolker to file additional pleadings and exhibits in opposition to pending Motion for Summary Judgment.

Recites:

- 1) On January 8 Smolker requested to be allowed to file motion for leave to file additional pleadings and exhibits on January 15, 2021.
- 2) Judge Chan said she would not schedule a hearing on Smolker's Motion Leave to file Additional Material in opposition to GRACE's pending motion for summary judgment until Judge Chan received Smolker's motion.

From: gsmolker@aol.com,
To: joan_ranieri@paeb.uscourts.gov,
Bcc: rhiggins@rogerhigginslaw.com, joneill@pszjlaw.com,
Subject: W.R. Grace & Co. Bankruptcy Case No. 01-1139
Date: Sat, Jan 9, 2021 3:41 pm

Saturday, January 9, 2021

Ms. Ranieri:

TRANSCRIPT OF TELEPHONIC CONFERENCES

I would like to purchase a transcript of the telephonic conferences conducted by Judge Chan on December 15, 2020 and on January 8, 2021.

Is there a standing order designating a particular transcription service which must be used in the W.R. Grace & Co. (GRACE) bankruptcy?

If so, please give me contact information so that I may contact that transcription service to make arrangements to obtain a transcript of each one of those two telephonic conferences conducted by Judge Chan.

HEARING DATE

The United States Bankruptcy Court, District of Delaware website states if a person wants to schedule a hearing in the GRACE bankruptcy that person should contact you.

I wish to schedule a hearing date for a motion to allow me to file additional pleadings and exhibits in opposition to the pending Motion for Summary Judgment.

If it is within your purview please schedule a hearing date.

During the telephonic conference with Judge Chan on January 8, 2021, I requested to be allowed to file such a motion on January 15, 2021 and to have the motion heard on February 1, 2021 --- the same date the hearing on GRACE'S pending motion for summary judgement is scheduled to be heard.

I am in the process of preparing a motion for leave to file additional material in opposition to GRACE'S pending motion for summary judgment.

If it is agreeable with Judge Chan, I would like you to schedule a hearing date for her to hear that motion. If Judge Chan allows you do schedule a hearing date, I will state that hearing date on my motion.

Judge Chan said she would not schedule a hearing on my motion for leave to file additional material in opposition to GRACE'S pending motion for summary judgment until she received my motion.

I will double check that conversation took place when I receive my copy of the transcript of the January 8, 2021 telephonic conference.

**COURTESY COPY OF MATERIALS FILED BY ME IN OPPOSITION TO GRACE'S
PENDING MOTION FOR SUMMARY JUDGMENT**

I asked Judge Chan during the December 15, 2020 hearing if she would like me to file a courtesy copy of papers I file in the GRACE bankruptcy directly in her chambers. She said, "No."

I will double check that conversation took place when I receive my copy of the transcript of the telephonic conference on Dec. 15, 2020.

Thank you very much.

Very truly yours,

Gary S. Smolker, Claimant, In Pro Per
Email: GSmolker@aol.com
Cell Phone: 1-310-749-9735
Office Phone 1-818-788-7290

Gary S. Smolker
16055 Ventura Blvd., Suite 525
Encino, CA 91436-2609

EXHIBIT 10

January 11, 2021 (7:16am)

Email from Ranieri to Smolker advises (1) If Smolker files motion for leave to file additional pleading by the end of the week in 4 days, Smolker can have a hearing date of March 4, 2021 at 12:00pm and what to do to get a sooner hearing.

1/11/2021

From: Joan_Ranieri@paeb.uscourts.gov,

To: gsmolker@aol.com,

Subject: RE: W.R. Grace & Co. Bankruptcy Case No. 01-1139

Date: Mon, Jan 11, 2021 7:16 am

Attachments:

Good morning Mr. Smolker,

As I said in the previous e-mail, the transcription request has been given to the ESR who will be in contact with you for arrangements.

As for as the scheduling of your proposed order, if you file a motion by the end of this week, you can have a hearing date of March 4, 2021 at 12:00 p.m.. If you file it later than that, you will have to contact me to get a new date.

If you want to have a hearing sooner than March 4, 2021, you will need to file, and serve on opposing parties, your motion and a motion to expedite the hearing which explains why you should be given any additional time since you have already agreed to the prior deadlines of 12/16/20 and 12/30/20. If you choose to request the expedited, once you file the motions, Judge Chan will determine whether it should be granted or not.

Thank you,

Joan Ranieri

Courtroom Deputy to Judge Ashely M. Chan

United States Bankruptcy Court

Eastern District of Pennsylvania

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EXHIBIT 11

January 12, 2021 (10:10am)

Email from Higgins to Smolker and Ranieri re dates proposed by Smolker for the hearing and briefing Smolker's Motion for leave to file Additional Pleadings and Exhibits, and Smolker's December 28 Requests for Production served on GRACE's attorneys Higinis and O'Neill, and "meet and confer" date regarding RFP.

1/12/2021

From: rhiggins@rogerhigginslaw.com,
To: gsmolker@aol.com,
Cc: Joan_Ranieri@paeb.uscourts.gov, jo'neill@pszjlaw.com,
Subject: RE: W.R. Grace & Co. Bankruptcy Case No. 01-1139
Date: Tue, Jan 12, 2021 10:10 am

Mr. Smolker,

This correspondence responds to your e-mail correspondence attached below.

Grace appreciates your informing counsel of your intent to file the motion discussed below. The proposed March 4 hearing date works for Grace.

As to the proposed response deadline for Grace, I believe that 21 days after January 15 is February 5. Grace will be prepared to respond appropriately on or before that date, with a couple of provisos:

- Grace still intends to move forward with its summary judgment motion at the February 1 hearing, and does not consent to any change in that date;
- Please note that Judge Chan prefers to have all briefing completed 14 days before the hearing. You may wish to look at the timing of when you file any reply; and
- To the extent that you do not file your motion on January 15, and file it later, the response deadline should be commensurately later such that Grace still has 21 days to respond.

You also indicated that you are not available until next week to meet and confer over your December 28 RFP.

Grace proposes two potential times that week:

- Monday, January 18, from 10:30 PT/1:30 ET to 3:00 pm PT/6:00 pm ET; or
- Tuesday, January 19, from 9:00 am PT/12:00 pm ET to 12:00 pm PT/3:00 pm ET.

Please indicate when during these times is convenient for you. We should probably allow an hour for the telephone conference, so the latest time we should start is one hour before the later time on either day.

Finally, you asked about transcripts. Grace has indeed ordered transcripts for the 9/17 status hearing, 12/15 status hearing, and 1/8 status hearing. We are given to understand that the audio difficulties at the 1/8 hearing may affect the quality of the transcript.

As to the 2/1 hearing and the 3/4 hearing, the docket entry for the day should provide instructions on how to order transcripts.

Warmest Regards. R

Roger J. Higgins

THE LAW OFFICES OF ROGER HIGGINS, LLC

516 N. Ogden Ave

Suite 136

1/12/2021

Chicago, IL 60642

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From: Gary Smolker <gsmolker@aol.com>

Sent: Monday, January 11, 2021 1:48 PM

To: Roger Higgins <rhiggins@rogerhigginslaw.com>; joneill@pszjlaw.com

Cc: Joan_Ranieri@paeb.uscourts.gov

Subject: W.R. Grace & Co. Bankruptcy Case No. 01-1139

Monday, January 11, 2021

Good afternoon Mr. Higgins and Mr. O'Neill,

**MOTION FOR LEAVE TO FILE ADDITIONAL PLEADINGS AND EXHIBITS IN
OPPOSITION TO GRACE'S PENDING MOTION FOR SUMMARY JUDGMENT**

The court has advised me if I file a Motion for Leave to File Additional Pleadings and Exhibits in Opposition to GRACE'S pending Motion for Summary Judgment by Friday (January 15) the court will hear that motion at noon (ET) on March 4, 2021.

I propose the following schedule be followed.

Please approve, disapprove or comment on the following proposed schedule.

1. SMOLKER files Motion for Leave to File Additional Pleadings and Exhibits in Opposition to GRACE'S Pending Motion for Summary Judgment by 4:00 p.m. (ET) on January 15, 2021.

1/12/2021

RE: W.R. Grace & Co. Bankruptcy Case No. 01-1139

2. GRACE files a Response by no later than 4:00 p.m. (ET) on February 26, 2021 (21 days later).
3. SMOLKER, files a REPLY, if any, by no later than 4:00 p.m. (ET) on February 26, 2021 (21 days later).
4. Judge Chan **conducts** a hearing on SMOLKER'S MOTION at noon (12:00 p.m. ET) on March 4, 2021(6 days later).

TRANSCRIPT OF HEARINGS HELD ON DECEMBER 15, 2020 AND JANUARY 8, 2021

Did GRACE order a transcript? If so from whom, please provide contact information so that I may order a transcript from the same transcription service.

Is there a standing order in effect specifying a specific transcription service is to be used in this case? If so, please provide contact information so that I may contact that service to order a transcript of the December 15, 2020 telephonic conference and a transcript of the January 8, 2021 telephonic conference.

I have been informed by Courtroom Deputy Ranieri that the ESR will contact me.

But, I have not been contacted by the ESR.

AVAILABILITY TO CONDUCT A TELEPHONIC MEET AND CONFER CONFERENCE

I am not available to meet and confer this week, but I will be available next week on Monday and Tuesday (January 18 and 19) and on Thursday and Friday (January 21 and 22).

1/12/2021

RE: W.R. Grace & Co. Bankruptcy Case No. 01-1139

Please give me times when you are available consistent with my availability.

Very truly yours,

Gary S. Smolker, Claimant, In Pro Per

Email: GSmolker@aol.com

Cell Phone: 1-310-749-9735

Office Phone: 1-818-788-7290

Gary S. Smolker

16055 Ventura Blvd., Suite 525

Encino, CA 91436

EXHIBIT 12

January 18, 2021 (1:26pm)

Email from Smolker to Higgins and O'Neill. Summary of what happened at "Meet and Confer," Higgins told Smolker GRACE has no intention to produce any document specified in Smolker's Request for Production of Documents.

Copy sent to Ranieri.

From: gsmolker@aol.com,
To: rhiggins@rogerhigginslaw.com,
Cc: jo'neill@pszjlaw.com, Joan_Ranieri@paeb.uscourts.gov, Tasha_Dawsonia@paebg.uscourts.gov,
Subject: W.R. GRACE & CO. BANKRUPTCY Presently Scheduled February 1, March 4, 2021, and March 25 Hearings, Future Hearings on Request for Production of Documents and Rule 11(b) Sanctions; Equal Access to Transcripts; Electronic Notification of Filings
Date: Mon, Jan 18, 2021 1:26 pm

January 18, 2021

W.R. Grace & Co. Bankruptcy Case No. 01-1139

Mr. Higgins and Mr. O'Neill

TRANSCRIPTS OF HEARING

To facilitate equal access to hearing transcripts please notify me when you on behalf of GRACE order a transcript so that I may order a copy of the same transcript at or near the same time.

I will check with Veritext and Ms. Dawson, later today in an attempt to set up a procedure so that I will be notified when you order a transcript and able to order a copy of that transcript the same day.

ELECTRONIC NOTIFICATION OF FILINGS

I have not received an electronic notification of any filing.

I will ask the clerk's office what to do so that I too may also receive electronic notification of filings.

MEET AND CONFER REGARDING PRODUCTION OF DOCUMENTS TO BE USED BY ME IN MY OPPOSITION TO GRACE'S PENDING MOTION FOR SUMMARY JUDGMENT AND IN MY MOTION FOR LEAVE TO FILE ADDITIONAL PLEADINGS AND EXHIBITS - TO BE USED BY THE COURT [A] IN RULING ON GRACE'S PENDING MOTION FOR SUMMARY JUDGMENT, [B] IN RULING ON MY MOTION FOR LEAVE TO FILE ADDITIONAL PLEADINGS AND EXHIBITS,[C] IN MY MOTION FOR VIOLATION OF RULE 11(b) SANCTIONS

During our "meet and confer" this morning you told me that GRACE has no intention to produce any of the documents specified in my "REQUEST FOR PRODUCTION OF DOCUMENTS FROM W.R. GRACE & CO." at my office on January 27 or to file any of those documents on January 29 for use of the Court in ruling on GRACE'S pending motion for summary judgment or in ruling on my pending motion for leave to file additional pleadings and exhibits or to use in my to be filed motion for sanctions for

Violation Rule 11(b) and Violation of American Bar Association "Model Rules of Professional Conduct."

TENTATIVELY SCHEDULED MARCH 25, 2021 HEARING ON MOTION FOR SANCTIONS

There will not be a hearing on my motion for attorney fees which we tentatively scheduled with the court to take place on March 25, because it was not possible for me to file my motion for sanctions on January 15, 2021.

Before the end of this week, I will ask Ms. Ranieri to schedule a hearing date after March 25, 2021 for my to be filed motion for sanction.

GRACE'S FILING WITH THE BANKRUPTCY COURT REGARDING GRACE'S REFUSAL TO PROCUDE DOCUMENTS SPECIFIED IN MY REQUEST FOR PRODUCTION OF DOCUMENTS FROM GRACE

Please give me an adequate time to respond to any pleading or motion GRACE files with the Bankruptcy Court, i.e. 21 days. regarding my Request of Production of Documents from Grace and Grace's refusal to produce any of the documents specified in my "Request for Production of Documents."

THANK YOU

Thank you and Mr. O'Neill for meeting and conferring via telephone with me this morning regarding production of documents I wish to use in my opposition to GRACE'S pending motion for summary judgment motion, and I wish to use in my pending motion for leave to file additional pleadings and exhibits.

Later this week, I will send you and Mr. O'Neill my "recap" of what we discussed during our meet and confer this morning.

Very truly yours,

Gary S. Smolker, In Pro Per
Email: GSmolker@aol.com
Cell Phone: 1-310-749-9735
Office Phone: 1-818-788-7290

Gary S. Smolker
16055 Ventura Blvd., Suite 525
Encino, CA. 91436

-----Original Message-----

From: Roger Higgins <rhiggins@rogerhigginslaw.com>
To: Gary Smolker <gsmolker@aol.com>
Cc: jo'neill@pszjlaw.com <jo'neill@pszjlaw.com>
Sent: Mon, Jan 18, 2021 8:17 am
Subject: RE: Grace - Smolker Claim - Hearing Transcripts

Mr. Smolker,

In response to your e-mail correspondence of last evening, we are in receipt of your motion for leave, as it was filed on Friday, and we received electronic notice.

You do not need to send Grace any money for the transcripts.

As to the meet and confer, I sent you last week e-mail correspondence (attached) which proposed the following times:

- Monday, January 18, from 10:30 PT/1:30 ET to 3:00 pm PT/6:00 pm ET; or
- Tuesday, January 19, from 9:00 am PT/12:00 pm ET to 12:00 pm PT/3:00 pm ET.

I did not receive a response from you.

Please let us know which time in these periods is convenient for you.

Warmest Regards. R

Roger J. Higgins
THE LAW OFFICES OF ROGER HIGGINS, LLC
516 N. Ogden Ave
Suite 136
Chicago, IL 60642
United States
Tel: (312) 480-1984
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From: Gary Smolker <gsmolker@aol.com>
Sent: Sunday, January 17, 2021 8:02 PM
To: Roger Higgins <rhiggins@rogerhigginslaw.com>; GSmolker@aol.com
Cc: jo'neill@pszjlaw.com
Subject: Re: Grace - Smolker Claim - Hearing Transcripts

Sunday, January 7, 2021

Mr. Higgins,

Thank you for attaching a copy of three transcripts to your email (copy below).

I plan to download the attached transcripts on Monday.

On Thursday (January 14, 2021), a copy of my Motion for Leave to File Additional Pleadings and Exhibits in Opposition to GRACE'S Pending Motion for Summary Judgment ("MOTION") was mailed to both you and Mr. O'Neill.

Have the two of you received a copy of that MOTION?

The original of MOTION was sent by FedEx on January 14 with guaranteed delivery on January 15, 2021 for filing in the United States Bankruptcy Court for the District of Delaware.

Have you chosen a time for us to have a telephonic meet and confer concerning the Request for Production of Documents previously served by me on GRACE?

If so, please advise me when you would will be calling me.

I was unable to obtain a copy of the transcripts of the hearings on 9/17/20, 12/15/20 and 1/8/21 from Veritext.

I will attempt to find out - if possible from Veritext - how much it would cost for me to purchase a copy of those three transcripts,

Once I find out, I will send you a check in that amount.

Again, thank you.

Very truly yours,

Gary S. Smolker, In Pro Per
Cell Phone: 1-310-749-9735
Office Phone: 1-818-788-7290

GSmolker@aol.com

Gary S. Smolker
16055 Ventura Blvd., Suite 525
Encino, CA 91436

-----Original Message-----

From: Roger Higgins <rhiggins@rogerhigginslaw.com>
To: 'GSmolker@aol.com' <GSmolker@aol.com>
Cc: 'James O'Neill (jo'neill@pszjlaw.com)' <jo'neill@pszjlaw.com>
Sent: Thu, Jan 14, 2021 12:37 pm
Subject: Grace - Smolker Claim - Hearing Transcripts

Mr. Smolker,

Based on our conversation the other day, it is not clear to me that you have yet received copies of the three hearing transcripts for the 9/17/20, 12/15/20, and 1/8/21 hearing transcripts. As a courtesy, I am therefore attaching those transcripts to this e-mail correspondence.

Warmest Regards. R

Roger J. Higgins

THE LAW OFFICES OF ROGER HIGGINS, LLC

516 N. Ogden Ave

Suite 136

Chicago, IL 60642

United States

Tel: (312) 480-1984

e-mail: rhiggins@rogerhigginslaw.com

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Mr. Smolker,

This correspondence responds to your e-mail correspondence attached below.

Grace appreciates your informing counsel of your intent to file the motion discussed below. The proposed March 4 hearing date works for Grace.

As to the proposed response deadline for Grace, I believe that 21 days after January 15 is February 5. Grace will be prepared to respond appropriately on or before that date, with a couple of provisos:

- Grace still intends to move forward with its summary judgment motion at the February 1 hearing, and does not consent to any change in that date;
- Please note that Judge Chan prefers to have all briefing completed 14 days before the hearing. You may wish to look at the timing of when you file any reply; and
- To the extent that you do not file your motion on January 15, and file it later, the response deadline should be commensurately later such that Grace still has 21 days to respond.

You also indicated that you are not available until next week to meet and confer over your December 28 RFP.

Grace proposes two potential times that week:

- Monday, January 18, from 10:30 PT/1:30 ET to 3:00 pm PT/6:00 pm ET; or
- Tuesday, January 19, from 9:00 am PT/12:00 pm ET to 12:00 pm PT/3:00 pm ET.

Please indicate when during these times is convenient for you. We should probably allow an hour for the telephone conference, so the latest time we should start is one hour before the later time on either day.

Finally, you asked about transcripts. Grace has indeed ordered transcripts for the 9/17 status hearing, 12/15 status hearing, and 1/8 status hearing. We are given to understand that the audio difficulties at the 1/8 hearing may affect the quality of the transcript.

As to the 2/1 hearing and the 3/4 hearing, the docket entry for the day should provide instructions on how to order transcripts.

Warmest Regards. R

Roger J. Higgins

THE LAW OFFICES OF ROGER HIGGINS, LLC

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United States

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From: Gary Smolker <gsmolker@aol.com>

Sent: Monday, January 11, 2021 1:48 PM

To: Roger Higgins <rhiggins@rogerhigginslaw.com>; joneill@pszjlaw.com

Cc: Joan_Ranieri@paeb.uscourts.gov

Subject: W.R. Grace & Co. Bankruptcy Case No. 01-1139

Monday, January 11, 2021

Good afternoon Mr. Higgins and Mr. O'Neill,

**MOTION FOR LEAVE TO FILE ADDITIONAL PLEADINGS AND EXHIBITS IN
OPPOSITION TO GRACE'S PENDING MOTION FOR SUMMARY JUDGMENT**

The court has advised me if I file a Motion for Leave to File Additional Pleadings and Exhibits in Opposition to GRACE'S pending Motion for Summary Judgment by Friday (January 15) the court will hear that motion at noon (ET) on March 4, 2021.

I propose the following schedule be followed.

Please approve, disapprove or comment on the following proposed schedule.

1. SMOLKER files Motion for Leave to File Additional Pleadings and Exhibits in Opposition to GRACE'S Pending Motion for Summary Judgment by 4:00 p.m. (ET) on January 15, 2021.
2. GRACE files a Response by no later than 4:00 p.m. (ET) on February 26, 2021 (21 days later).
3. SMOLKER, files a REPLY, if any, by no later than 4:00 p.m. (ET) on February 26, 2021 (21 days later).
4. Judge Chan **conducts** a hearing on SMOLKER'S MOTION at noon (12:00 p.m. ET) on March 4, 2021(6 days later).

TRANSCRIPT OF HEARINGS HELD ON DECEMBER 15, 2020 AND JANUARY 8, 2021

Did GRACE order a transcript? If so from whom, please provide contact information so that I may order a transcript from the same transcription service.

Is there a standing order in effect specifying a specific transcription service is to be used in this case? If so, please provide contact information so that I may contact that service to order a transcript of the December 15, 2020 telephonic conference and a transcript of the January 8, 2021 telephonic conference.

I have been informed by Courtroom Deputy Ranieri that the ESR will contact me.

But, I have not been contacted by the ESR.

**AVAILABILITY TO CONDUCT A TELEPHONIC MEET AND CONFER
CONFERENCE**

I am not available to meet and confer this week, but I will be available next week on Monday and Tuesday (January 18 and 19) and on Thursday and Friday (January 21 and 22).

Please give me times when you are available consistent with my availability.

Very truly yours,

Gary S. Smolker, Claimant, In Pro Per

Email: GSmolker@aol.com

Cell Phone: 1-310-749-9735

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Gary S. Smolker

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